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**OFFICE OF PETITIONS
A/C PATENTS**

In re Application of
Seung-Dong Kang et al.
Application No. 09/275,808
Filed: March 25, 1999
Attorney Docket No. SEC.626

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed October 23, 2000, to revive the above-identified application.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." This is **not** final agency action within the meaning of 5 U.S.C. § 704.

The above-identified application became abandoned for failure submit the issue fee in a timely manner in reply to the Notice of Allowance mailed June 19, 2000, which set a statutory period for reply of three (3) months. Accordingly, the above-identified application became abandoned on September 20, 2000.

A grantable petition under 37 CFR 1.137(b)¹ must be accompanied by: (1) the required reply,² unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that the

¹ As amended effective December 1, 1997. See Changes to Patent Practice and Procedure; Final Rule Notice, 62 Fed. Reg. 53131, 53194-95 (October 10, 1997), 1203 Off. Gaz. Pat. Office 63, 119-20 (October 21, 1997).

² In a nonprovisional application abandoned for failure to prosecute, the required reply may be met by the filing of a continuing application. In an application or patent, abandoned or lapsed for failure to pay the issue fee or any portion thereof, the required reply must be the payment of the issue fee or any outstanding balance thereof.

entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required by 37 CFR 1.137(c). Where there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137 was unintentional, the Commissioner may require additional information. See MPEP 711.03(c)(III)(C) and (D). The instant petition lacks item (1).


A petition to revive cannot be granted where there is an outstanding requirement. In the instant case, the drawings submitted on October 23, 2000, are objected to by the draftsman. A Notice of Draftsman's Patent Drawing Review (PTO-948) is attached. Accordingly, this application cannot be revived until corrected formal drawings have been submitted.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

By hand: Office of Petitions
2201 South Clark Place
Crystal Plaza 4, Suite 3C23
Arlington, VA 22202

Telephone inquiries concerning this decision should be directed to Wan Laymon at (703) 305-9282.


Wan Laymon
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

Attachment: PTO-948

09/275808

NOTICE OF DRAFTPERSON'S PATENT DRAWING REVIEW

The drawing filed (insert date) 10/23/00 are:A. 2 not objected to by the Draftperson under 37 CFR 1.84 or 1.152.B. 1 objected to by the Draftperson under 37 CFR 1.84 or 1.152 as indicated below. The Examiner will require submission of new, corrected drawings where necessary. Corrected drawings must be submitted according to the instructions on the back of this notice.

1. DRAWINGS. 37 CFR 1.84(a): Acceptable categories of drawings:

Black ink. Color.

_____ Color drawing are not acceptable until petition is granted.

Fig.(s) _____

_____ Pencil and non black ink is not permitted. Fig(s) _____

2. PHOTOGRAPHS. 37 CFR 1.84(b)

Photographs are not acceptable until petition is granted.

3 full-tone sets are required. Fig(s) 6A, 6BPhotographs not properly mounted (must be on Bristol board or photographic double-weight paper). Fig(s) 6A, 6BPoor quality (half-tone). Fig(s) 6A, 6B

3. TYPE OF PAPER. 37 CFR 1.84(e)

_____ Paper not flexible, strong, white and durable.

Fig.(s) _____

_____ Erasures, alterations, overwritings, interlineations, folds, copy machine marks not acceptable. (too thin)

_____ Mylar, vellum paper is not acceptable (too thin).

Fig(s) _____

4. SIZE OF PAPER. 37 CFR 1.84(f): Acceptable sizes:

_____ 21.0 cm by 29.7 cm (DIN size A4)

_____ 21.6 cm by 27.9 cm (8 1/2 x 11 inches)

_____ All drawings sheets not the same size.

Sheet(s) _____

5. MARGINS. 37 CFR 1.84(g): Acceptable margins:

Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm

SIZE: A4 Size

Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm

SIZE: 8 1/2 x 11

_____ Margins not acceptable. Fig(s) _____

_____ Top (T) _____ Left (L)

_____ Right (R) _____ Bottom (B)

6. VIEWS. 37 CFR 1.84(h)

REMINDER: Specification may require revision to correspond to drawing changes.

_____ Views connected by projection lines or lead lines.

Fig.(s) _____

Partial views. 37 CFR 1.84(h)(2)

_____ Brackets needed to show figure as one entity.

Fig.(s) _____

_____ Views not labeled separately or properly.

Fig.(s) _____

_____ Enlarged view not labeled separately or properly.

Fig.(s) _____

7. SECTIONAL VIEWS. 37 CFR 1.84(h)(3)

_____ Hatching not indicated for sectional portions of an object.

Fig.(s) _____

_____ Sectional designation should be noted with Arabic or

Roman numbers. Fig.(s) _____

8. ARRANGEMENT OF VIEWS. 37 CFR 1.84(i)

_____ Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned, so that the top becomes the right side, except for graphs. Fig.(s) _____

_____ Views not on the same plane on drawing sheet. Fig.(s) _____

9. SCALE. 37 CFR 1.84(k)

_____ Scale not large enough to show mechanism with crowding when drawing is reduced in size to two-thirds in reproduction.

Fig.(s) _____

10. CHARACTER OF LINES, NUMBERS, & LETTERS. 37 CFR 1.84(l)

_____ Lines, numbers & letters not uniformly thick and well defined, clean, durable and black (poor line quality).

Fig.(s) _____

11. SHADING. 37 CFR 1.84(m)

_____ Solid black areas pale. Fig.(s) _____

_____ Solid black shading not permitted. Fig.(s) _____

_____ Shade lines, pale, rough and blurred. Fig.(s) _____

12. NUMBERS, LETTERS, & REFERENCE CHARACTERS. 37 CFR 1.84(p)

_____ Numbers and reference characters not plain and legible.

Fig.(s) _____

_____ Figure legends are poor. Fig.(s) _____

_____ Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(3) Fig.(s) _____

_____ English alphabet not used. 37 CFR 1.84(p)(3) Fig.(s) _____

_____ Numbers, letters and reference characters must be at least .32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3) Fig.(s) _____

13. LEAD LINES. 37 CFR 1.84(q)

_____ Lead lines cross each other. Fig.(s) _____

_____ Lead lines missing. Fig.(s) _____

14. NUMBERING OF SHEETS OF DRAWINGS. 37 CFR 1.84(t)

_____ Sheets not numbered consecutively, and in Arabic numerals beginning with number 1. Fig.(s) _____

15. NUMBERING OF VIEWS. 37 CFR 1.84(u)

_____ Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig.(s) _____

16. CORRECTIONS. 37 CFR 1.84(w)

_____ Corrections not made from PTO-948 dated _____

17. DESIGN DRAWINGS. 37 CFR 1.152

_____ Surface shading shown not appropriate. Fig.(s) _____

_____ Solid black shading not used for color contrast.

Fig.(s) _____

COMMENTS

REVIEWER _____

DATE 11/2/00TELEPHONE NO. 358-0011

ATTACHMENT TO PAPER NO. _____

PTO COPY